

A

בס"ד
Intro

Today we will learn בע"ה of דף ביצה. מסכת ביצה.
Some of the topics we will learn about today include:

A continuation of the discussion of
יש ברירה - or
אין ברירה -
And how that relates to the laws of תחום on Shabbos and Yom
Tov

A discussion of the laws of ביטול ברוב, and its various Halachic
ramifications related to laws of איסור and ממון - monetary laws,
and how this relates to the laws of תחום for a jointly owned item
on Yom Tov.

A

אין ברירה OR יש ברירה

How that relates
to the laws of תחום

ביטול ברוב,
related to laws of
ממון and איסור

How this relates to תחום
for a jointly owned item
on Yom Tov

B

Some of the key topics and concepts that we will learn about
include:

תחומים

A person on Shabbos or Yom Tov, is only allowed to walk a
distance of 2000 Amos, (which is between 960 and 1,152 meters -
or 3147 and 3774 feet - depending upon differing Halachic
opinions) outside the city limits - or from his encampment, if he
is not in a city. If one wants to walk beyond that distance on
Shabbos or Yom Tov, they must make an Eruvei Techumin, by
placing two meals worth of food slightly less than 2000 Amos
from his present location. In this manner the person can walk an
additional 2000 amos past the Eruv.

ברירה

Bereirah is the concept of making something contingent upon
events that have not yet taken place. For example, making a sale
conditional on something that will happen only tomorrow. It is
a Machlokes in the Gemara and in Halacha as well, if יש ברירה,
which would retroactively validate such a conditional action, or
אין ברירה, and such an action would be rendered invalid.

C

משה שפיר קאמרת

An expression used to show astonishment at another's
statement. משה is a title of כבוד, as if to say, you are as great as
Moshe Rabenu in our דור, how then could you make such a
statement?

ביטול ברוב

Nullification by the majority - If there are two substances
mixed together, תורה law allows for the majority to nullify the
minority so that the minority is considered as if it is
non-existent.

B

תחומים

ברירה

C

משה שפיר קאמרת

ביטול ברוב

1 So let's review....
Our Gemara continues the discussion from the previous Daf about תחומין on Yom Tov.
אמר שמואל שור של פטם הרי הוא כרגלי כל אדם:
Shmuel teaches that the animals of a cattle raiser or dealer would follow the תחום of the buyer, even if purchased on Yom Tov itself, as Rashi explains:
דכיון דאורחיה לזבוגיה מאתמול אוקמיה ברשותיה דמאן דאתי למחר וזבין ליה
Since this is the seller's business, he transfers ownership, regarding תחום, to the רשות of the potential buyer, from before Yom Tov.

However,
שור של רועה הרי הוא כרגלי אותה העיר
As Rashi explains - One who shepherds his own flock, and occasionally sells some of his animals - these animals follow the תחום of the town. Even if he himself set up a personal עירוב in one direction, the animals are not governed by his תחום, but that of the town, because he also had in mind to transfer ownership, regarding תחום, to the רשות of the potential buyer, from before Yom Tov. However, since he generally sells to locals only, the animals follow the תחום of the town.
=====

2 We had learned in the Mishna
השואל כלי מחבירו מעי"ט כרגלי השואל
ביו"ט כרגלי המשאל
If someone borrows an item BEFORE Yom Tov, the item is governed by the תחום of the borrower. If it was borrowed ON Yom Tov, the item is governed by the תחום of the lender. In both cases, it is based on who had possession of the item at the ONSET of Yom Tov.
The gemara asks - פשיטא?
If he borrowed it before Yom Tov, certainly it would follow the תחום of the borrower?

3 The Gemara answers;
לא צריכא שלא מסרו לו אלא ביו"ט
The חידוש is that even if he only took possession of the item on Yom Tov itself - since he arranged to borrow it before Yom Tov, it is considered in the borrower's possession, and follows his תחום.
However,
ביו"ט כרגלי המשאל
If he only arranged on Yom Tov to borrow the item, they follow the תחום of the lender.
This too is פשיטא?
However, the חידוש is;
דרגיל ושאל מיניה
Even where this borrower usually borrows this item, yet since he did not arrange to borrow it before Yom Tov, at the onset of Yom Tov the owner thinks
דלמא משכח איניש אחרינא ואזיל ושאל מיניה
Perhaps he found other arrangements, and this time, borrowed from someone else. Therefore, even when he ultimately borrows it on Yom Tov, it is not considered to have been transferred to the רשות of the borrower before Yom Tov.
=====

1 *Continues discussion about תחומין on יום טוב...*
אמר שמואל...
שור של רועה
הרי הוא
כרגלי אותה העיר
Even if he set up a personal עירוב in one direction
Because he also had in mind to transfer ownership to the רשות of the potential buyer
And he generally only sells to locals
שור של פטם
הרי הוא
כרגלי כל אדם
Even if purchased on יום טוב
דכיון דאורחיה לזבוגיה מאתמול אוקמיה ברשותיה דמאן דאתי למחר וזבין ליה

2 *משאל*
השואל כלי מחבירו...
ביום טוב
כרגלי המשאל
מערב יום טוב
כרגלי השואל
It's based on who had possession at the ONSET of יום טוב
פשיטא?
פשיטא?

3 *אל צריכא*
שלא מסרו לו אלא ביו"ט
Since he arranged to borrow it BEFORE יום טוב, תחום HIS
דרגיל ושאל מיניה
Since he DIDN'T arrange to borrow it BEFORE יום טוב,
The owner thinks דלמא משכח איניש אחרינא ואזיל ושאל מיניה
It's NOT considered to have transferred



4 The Mishnah had further taught;
 וכן האשה ששאלה מחברתה תבלין ומלח לעיסתה
 הרי אלו כרגלי שתיהן
 ר' יהודה פוטר במים מפני שאין בהן ממש
 If a woman borrowed on Yom Tov, spices, water or salt to add
 to her dough, the finished dough or bread may be carried only as
 far as the תחום of both parties.

4 **משנה:**
 וכן האשה ששאלה מחברתה
 תבלין ומים ומלח לעיסתה
 הרי אלו כרגלי שתיהן
 ר' יהודה פוטר במים
 מפני שאין בהן ממש

5 The Gemara examines this point, and relates;
 כי סליק רבי אבא
 When רבי אבא went up from Bavel to Eretz Yisrael he uttered a
 Tefilah;
 יהא רעוא דאימא מלתא דתתקבל
 May my words of Torah be accepted and find favor in the eyes
 of the תלמידי of Eretz Yisrael.
 תלמידי תלמידי רבי אבא came into a respectable forum of חכמים
 who were discussing our Mishna, and they questioned;
 אמאי ולבטיל מים ומלח לגבי עיסה
 אמאי ולבטיל מים ומלח לגבי עיסה
 Why should the owner of the water or salt play a part in
 determining the תחום of the baked item? Why would it not
 become בטל to the dough as a relatively insignificant item?

5 כי סליק רבי אבא
 תפילה; he uttered a
 יהא רעוא דאימא מלתא דתתקבל
 אמאי ולבטיל מים ומלח לגבי עיסה?
 Why would it not become
 בטל to the dough?

6 To which רבי אבא responded;
 הרי שנתערב לו קב חטין בעשרה קבין חטין של חברו
 זיאלל הלה וחדוי
 If a person's one Kav of wheat became mixed in with someone
 else's 10 Kavim of wheat, should the one who now has 11 Kavim
 of wheat, acquire the other person's Kav, and be happy?
 Tosfos explains that Rebbi Abba is saying that the laws of ביטול
 cannot be applied to determine the תחום of the dough which is
 jointly owned by two people. Because, ביטול applies only to
 מומון - the היתר nullifies the איסור - but regarding
 monetary matters - ביטול cannot nullify ownership. Therefore,
 since the תחום is based on possession, the borrowed
 ingredients do not become בטל.

6 **תוס'**
 Rebbi אבא responded;
 הרי שנתערב לו קב חטין
 בעשרה קבין חטין של חברו
 זיאלל הלה וחדוי
 ביטול איסור והיתר
 מומון ביטול
 אחיכו עליה
 The group mocked
 the words of Rebbe Abba,
 because he did not express his point clearly

אחיכו עליה
 The group mocked the words of Rebbe Abba, because he did
 not express his point clearly.





7 A lengthy discussion ensues, and the Gemara points out that indeed ownership does not become בטל, even where it is insignificant, and cannot be claimed in court.

7 *The Gemara points out...*
Ownership does not become בטל, even where it's insignificant, and cannot be claimed in court

8 However, Abaye maintains the original question by saying; מי קא מדמית איסורא לממונא איסורא בטיל ממונא לא בטיל Abaye certainly agrees that ownership does not become בטל. However, the איסור תחום can become בטל, even though it is a result of ownership. The ממון does not become בטל, but the איסור does become בטל.

8 *Abaye maintains the original question...*
מי קא מדמית איסורא לממונא איסורא בטיל - ממונא לא בטיל?
Ownership does not become בטל איסור תחום can become בטל

9 If so, asks the Gemara; וטעמא מאי Why then do the salt and water not become בטל in the dough regarding תחום?

9 **וטעמא מאי?**
Why then do the salt and water not become בטל in the dough regarding תחום?
1
אב"י אמר גזרה
שמא תעשה עיסה בשותפות
They will think they are not restricted, as when one contributed water or salt, not realizing the distinction

The Gemara gives three answers:
-1-

אב"י אמר גזרה שמא תעשה עיסה בשותפות We are concerned of a case where two people will make a proper partnership in baked goods, such as contributing flour or another significant ingredient, which would then restrict them to their common תחום. They will think that they are not restricted, as when one contributed only water or salt, not realizing the distinction.



10

-2-
רבה אמר תבלין לטעמיה עבידי
Rava answers that spices and salt are meant to add flavoring and taste to the baked or cooked item.
וטעמא לא בטיל
And as such, the spices are significant, and it is for this reason that they are not בטל to the dough.

-3-
ורב אשי אמר משום דהוי ליה דבר שיש לו מתירין
וכל דבר שיש לו מתירין אפילו באלף לא בטיל
Rav Ashi explains that the water and salt do not become בטל as this bread is something that can become permitted - As Rashi says:
למחר יוליכוה
או היום יאכלוה כאן
It can be taken out of the common תחום after Yom Tov, or eaten within the common תחום on Yom Tov.
=====

10

2
רבה אמר
תבלין לטעמיה עבידי

וטעמא לא בטיל

3

ורב אשי אמר

משום דהוי ליה דבר שיש לו מתירין
וכל דבר שיש לו מתירין
אפילו באלף לא בטיל

למחר יוליכוה
או היום יאכלוה כאן

11

ר' יהודה פוטר במים
מפני שאין בהן ממש
R' Yehuda considers water insignificant, and it does not retain its identity to restrict the תחום.
מים אין מלח לא -
Since R' Yehuda mentioned only מים, it seems that מלח - salt is not insignificant, and does retain its identity to restrict the תחום.

11

ר' יב/דפ
פוטר במים
מפני שאין בהן ממש

מים אין
מלח לא

Salt is not insignificant,
and does retain its identity
to restrict the תחום

12

The Gemara points out that in the Mishnah R' Yehuda is referring to
מלח אסתרוקנית - A coarse salt, which remains noticeable in the mixture -
However, in a Braisa where R' Yehuda says;
מים ומלח בטלין
בין בעיסה בין בקדרה
That both water and salt are insignificant - is referring to
מלח סדומית - A fine salt, which dissolves completely in the mixture.

12

משנה:

ר' יב/דפ
פוטר במים
{מלח לא}

מלח אסתרוקנית
Coarse salt
Which remains noticeable

ברייתא:

ר' יב/דפ
מים ומלח בטלין
בין בעיסה בין בקדרה

מלח סדומית
Fine salt
Which dissolves completely



13 Also - in the Mishnah, as in this Braisa, R' Yehuda says that מים ומלח is בטל in both dough and in cooked food, because he is referring to עבה - a thick food, with no sauce, in which the מים ומלח is not noticeable.
 However, there is another Braisa where R' Yehuda says;
 מים ומלח בטלין בעיסה
 ואין בטלין בקדרה
 מפני רוטבה
 That מים ומלח are not בטל in cooked food, because he is referring to רכה - a loose food, with sauce, in which the מים ומלח remains noticeable.

